

**REMARKS**

Claims 12-18 and 26 are pending and at issue.

Reconsideration of the above identified application, in view of the following remarks, is respectfully requested.

**35 U.S.C. §103 Rejection**

The Examiner has maintained a rejection of pending claims 12-18 and 26 under §103 as being unpatentable over Gebhardt in view of U.S. patent 5,052,995 to Focke et al.(Focke). Applicants respectfully disagree with the Examiner's contention that several arguments advanced in the previous amendment are not fully supported by language in the claims. However, before this issue is discussed in detail, Applicants believe a brief summary of the cited references is in order.

Gebhardt discloses the use of rotating drums with gripping devices as part of a mechanism to interlock separate bags. These gripping devices interfold bags so that each bag is interlocked with a preceding and succeeding bag in a staggered manner. This method of folding results in an effect similar to a box of tissues whereas as one tissue is removed the next pops out of the box. Gebhardt does not disclose that the bags are joined together in any way. The staggered folded bags do not form a continuous connected web, as required by the present claims. In fact the Examiner has previously contended that while "Gebhardt does not disclose that the bags are joined together in any way ... Shore's reference clearly discloses that the webs are joined together via web portions 18." Applicants have previously pointed out that while this is true, it is not relevant, as Shore shows connections 18 only between the side-by-side strips 16 (in the cross-direction) to







forth in Applicants' previous amendment. For the foregoing reasons, applicants respectfully submit that the rejections of claims 12-18 and 26 under §103 has been overcome and thus request that these rejections be withdrawn.

## CONCLUSION

In view of the above remarks, it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue since the present clarifying amendments place the application in condition for allowance without requiring any additional consideration and/or searching.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: June 28, 2004

Respectfully submitted,

By

Edward J. Ellis

Registration No.: 40,389

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant